

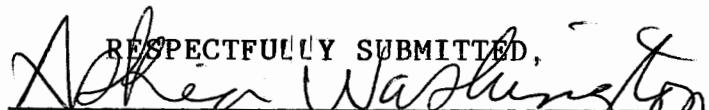
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AUG 24 2015

PETITIONER IN PRO SE

UNITED STATES OF AMERICA :
RESPONDENT, : MOTION REQUESTING RETURN OF ALL
V. : SEIZED PROPERTY PURSUANT TO RULE
ASKIA WASHINGTON - PRO SE : 41(G), FED. CRIM. PROCEDURE
PETITIONER. :
: CRIMINAL DKT#13-00171-02

NOW COMES, ASKIA WASHINGTON, PRO SE, WHO REQUESTS THAT THE COURT SET A HEARING AT A DATE AND TIME DETERMINED BY THE COURT WHICH WILL ALLOW THE ABOVE MOTION FOR RETURN OF PROPERTY TO BE HEARD AND DECIDED AS RELATES TO THE RETURN OF ALL PROPERTY SEIZED AT THE TIME OF HIS ARREST WHICH IS NOT CONSIDERED CONTRBAND BY STATE AND FEDERAL LAWS. ALL MATTERS RELATING TO SUCH CRIMINAL CASE HAVE BEEN AJUDICATED BY THE UNITED STATES DISTRICT COURT AND SUCH PROPERTY HAS NO EVIDENTIAL VALUE TO THE GOVERNMENT.

PETITIONER THEREFORE ASKS THAT THE COURT UPON REVIEW OF THE ATTACHED BRIEF IN SUPPORT OF SUCH MOTION ORDER THAT ALL PROPERTY LISTED BE RETURNED.


RESPECTFULLY SUBMITTED,
ASKIA WASHINGTON #69032-066
FEDERAL DETENTION CENTER
BOX - 562
PHILADELPHIA, PA. 19105

DATED : AUGUST 20, 2015

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA
RESPONDENT,

v.

ASKIA WASHINGTON - PRO SE
PETITIONER.

CRIMINAL NO. #13-00171-02

BRIEF IN SUPPORT OF MOTION FOR RETURN OF ALL
SEIZED PROPERTY BY GOVERNMENT AT TIME OF ARREST
PURSUANT TO RULE - 41(G), FED. R. CRIM. PROCEDURE

ASKIA WASHINGTON #69032-066
FEDERAL DETENTION CENTER
BOX 562
PHILADELPHIA, PA. 19105

SAT BEFORE:

HONORABLE : JOEL H. SLOMSKY, U.S.D.J.
UNITED STATES DISTRICT COURTHOUSE
601 MARKET STREET
PHILADELPHIA, PA. 19106

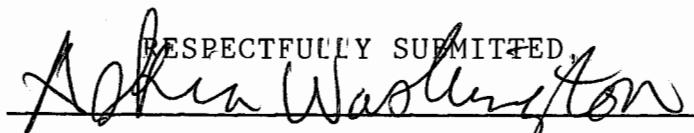
(A) PETITIONER SUBMITS THAT ALL PROPERTY SEIZED AT THE TIME OF HIS ARREST SHOULD BE RETURNED BECAUSE SUCH IS NOT CONTRABAND AS IS DEFINED BY FEDERAL OR STATE LAW, AND THAT SUCH WAS NOT OBTAINED BY AND THROUGH ILLEGITIMATE MEANS OR WITH ILLEGITIMATE FUNDS DERIVED FROM UNLAWFUL OR CRIMINAL ACTIVITIES. PETITIONER ALSO SUBMITS THAT THE SEIZED PROPERTY HAS NO EVIDENTIAL VALUE.

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A PERSON AGRIEVED BY AN UNLAWFUL SEARCH AND SEIZURE OR BY THE DEPRIVATION OF PROPERTY MAY MOVE THE DISTRICT COURT FOR THE DISTRICT IN WHICH THE PROPERTY WAS SEIZED FOR THE RETURN OF THE PROPERTY ON THE GROUND THAT SUCH PERSON IS ENTITLED TO LAWFUL POSSESSION OF THE PROPERTY. THE COURT SHALL RECEIVE EVIDENCE ON THE ISSUE OF FACT NECESSARY TO THE DECISION OF THE MOTION. IF THE MOTION IS GRANTED, THE PROPERTY SHALL BE RETURNED TO THE MOVANT, ALTHOUGH, THE COURT MUST MAKE A FINDING ON THE RECORD THAT THE GOVERNMENT HAS NO NEED FOR THE PROPERTY IN AN INVESTIGATION OR PROSECUTION.

PETITIONER WASHINGTON SUBMITS THAT THE PROPERTY SEIZED AND HELD BY THE UNITED STATES GOVERNMENT HAS NO EVIDENTIAL VALUE TO THE GOVERNMENT BECAUSE PETITIONER HAS BEEN FOUND GUILTY OF FEDERAL CHARGES DERIVING OUT OF THE CRIMINAL COMPLAINT. PETITIONER FURTHER SUBMITS THAT NONE OF THE SEIZED ITEMS ARE CONSIDERED TO BE CONTRABAND AS THAT TERM IS DEFINED BY FEDERAL AND STATE LAWS. FURTHERMORE, THE SEIZED ITEMS WERE NOT OBTAINED BY OR THROUGH ILLEGITIMATE MEANS OR WITH ANY ILLEGITIMATE FUNDS DERIVED FROM UNLAWFUL OR CRIMINAL ACTIVITIES.

ALTHOUGH THE GOVERNMENT HAS NOT FILED ANY FORFEITURE CLAIM TO SUCH HELD ITEMS, THEY DO REMAIN IN THE GOVERNMENT'S POSSESSION AT THIS TIME. PETITIONER THEREFORE MOVES FOR THEIR RETURN VIA THIS MOTION. THE FOLLOWING ITEMS ARE NOW REQUESTED TO BE RETURNED: (1) ONE GUCCI WALLET (BLACK); (2) ONE SET OF KEYS; (3) FOUR CELLPHONES - I-PHONE 5, I-PHONE 4, CRICKET SAMSUNG, KORECA PHONE; (4) ONE BLACK NIKE WALLET WITH BROTHER'S IDENTIFICATION INSIDE; (5) ONE AMARNI EXCHANGE WATCH. ALL SEIZED FROM MY PERSON AT TIME OF ARREST.


RESPECTFULLY SUBMITTED,

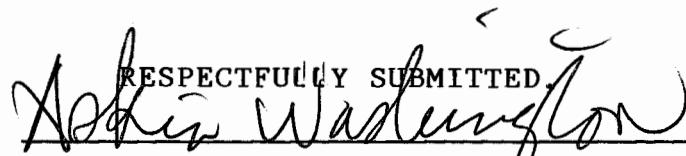
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FEDERAL DETENTION CENTER - BOX 562
PHILADELPHIA, PA. 19105

PETITIONER IN PRO SE

DATED: AUGUST 20, 2015

I HEREBY CERTIFY THAT A COPY OF THE FOREGOING MOTION FOR RETURN OF PROPERTY - R. 41(G) WAS SERVED BY FIRST CLASS MAIL UPON THE CLERK AND UPON THE UNITED STATES ATTORNEY'S OFFICE ON AUGUST , 2015, AT THE ADDRESS LISTED BELOW:

- (1) UNITED STATES ATTORNEY'S OFFICE
615 CHESTNUT STREET - SUITE #2400
PHILADELPHIA, PA. 19106


RESPECTFULLY SUBMITTED,
Askia Washington

ASKIA WASHINGTON #69032-066
FEDERAL DETENTION CENTER
BOX - 562
PHILADELPHIA, PA. 19105

DATED: AUGUST 20, 2015